

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

In the Matter of License 2815,
Issued Pursuant to Permit 5919,
Application 10313,
STATE OF CALIFORNIA,
DEPARTMENT OF FISH AND GAME,
LICENSEE.

Source: (1) Unnamed Stream
(2) Cienega
County: Ventura

ORDER REVOKING IN PART LICENSE TO APPROPRIATE WATER
ON REQUEST OF LICENSEE

The licensee having requested a partial revocation of License 2815, the State Water Rights Board finds:

1. License 2815 was issued March 4, 1946, on Permit 5919, Application 10313, confirming the appropriative right acquired by beneficial use by Division of Fish and Game, Department of Natural Resources, State of California, of nine and twenty-four hundredths (9.24) cubic feet per second (cfs) from an unnamed stream, and four and eight-tenths (4.8) cfs from a cienega, to be diverted year round for fish culture purposes.

2. A copy of License 2815 was filed in the office of the County Recorder of Ventura County on March 29, 1946.

3. The State of California, Department of Fish and Game, by operation of law, is successor to the original licensee. The licensee has requested in writing that

License 2815 be modified by canceling the part of the license that "refers to the 9-24/100 (9.24) cubic feet per second from (1) unnamed stream."

NOW, THEREFORE, IT IS ORDERED that License 2815 be, and it is, revoked in part, by deleting from the license the authority to appropriate not in excess of nine and twenty-four hundredths (9.24) cubic feet per second, year round, from Diversion No. 1, described in License 2815 as located:

South sixty four degrees, fifty six minutes West (S.64°56'W.) thirty eight hundred twelve (3812) feet from Station S.57 of Rancho Sespe Tract No. 2, and being within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Sec. 33, T 4 N, R 19 W, S.B.B. & M.

Nothing herein modifies the right of the licensee to appropriate for beneficial use not to exceed four and eight-tenths (4.8) cubic feet per second from the cienega identified in said license.

Adopted as the order of the State Water Rights Board at a meeting duly called and held at Sacramento, California.

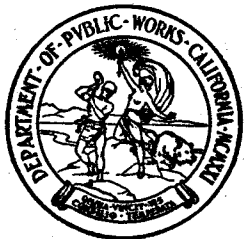
Dated: February 15, 1967

Kent Silverthorne
Kent Silverthorne, Chairman

Ralph J. McGill
Ralph J. McGill, Member

W. A. Alexander
W. A. Alexander, Member

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STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

LICENSE 2815

PERMIT 5919

APPLICATION 10313

THIS IS TO CERTIFY, That Division of Fish and Game, Department of Natural Resources, State of California, San Francisco, California

made proof as of June 26, 1944
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the waters of
(1) unnamed stream, (2) cienega, in Ventura County
tributary to Santa Clara River

for the purpose of **fish culture**
under Permit **5919**

of the Department of Public Works and that said right to the use of said waters has been perfected in accordance with the laws of California, the rules and regulations of the Department of Public Works and the terms of the said permit; that the priority of the right herein confirmed dates from **November 3, 1941;**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to the amount actually beneficially used for said purposes and shall not exceed **nine and twenty four hundredths (9.24) cubic feet per second from (1) unnamed stream and four and eight tenths (4.8) cubic feet per second from (2) cienega, to be diverted from January 1 to December 31 of each season**

In case of rotation the equivalent of such continuous flow allowance for any thirty day period may be diverted in a shorter time if there be no interference with other vested rights.

This license is based on the use of water made during the year 1944 which was the year of maximum use within the three year period immediately preceding the date of inspection.

The point of diversion of such water are located as follows: Diversion No. 1 is located South sixty four degrees, fifty six minutes West (S.64° 56' W.) thirty eight hundred twelve (3812) feet from Station S-57 of Rancho Sespe Tract No. 2, and being within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Sec. 33, T 4 N, R 19 W, S.B.B. & M.

Diversion No. 2 is a series of ponds in the stream channel between two points which are located as follows;

Upper point is located South seventy two degrees, thirty one minutes West (S.72° 31' W) thirty six hundred sixty (3660) feet from Station S-57 of Rancho Sespe Tract No. 2, and being within the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of projected Sec. 33, T 4 N, R 19 W, S.B.B. & M. Lower point is located South seventy eight degrees, thirty five minutes West (S.78° 35' W.), forty five hundred eighty seven (4587) feet from Station S-57 of Rancho Sespe Tract No. 2, and being within the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of projected Sec. 32, T 4 N, R 19 W, S.B.B. & M.

A description of the lands or the place where such water is put to beneficial use is as follows:

In fish ponds constructed in 3 rows of 10 ponds each, having an aggregate surface area of about 0.8 acre and a capacity of about 2 acre-feet, and located within the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 29, the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32, and the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33, T 4 N, R 19 W, S.B.B. & M., projected.

All rights and privileges under this license including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the State Engineer.

The right to the diversion and use of the water aforesaid hereby confirmed is restricted to the point of diversion herein specified and to the lands or place of use herein described.

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This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

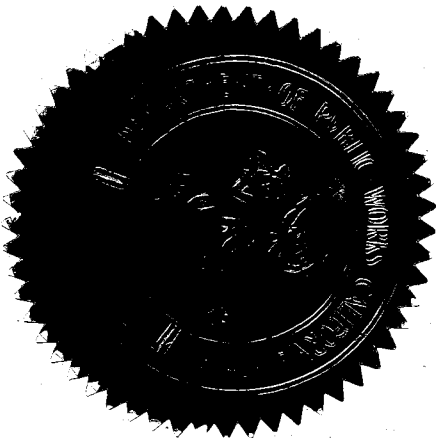
Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.



Witness my hand and the seal of the Department of Public
Works of the State of California, this **4th**
day of **March**, 19 **46**

EDWARD HYATT, State Engineer

Edward Hyatt

State Engineer

*9/22/51 name changed to State of California, Dept. of
Fish & Game*

LICENSE **2815**

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO **Division of Fish & Game**

DATED **March 4, 1946**

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